

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

AARON D. YOUNKER,

Plaintiff,

v.

**OHIO DEPARTMENT OF
REHABILITATION & CORRECTIONS, et al.,**

Defendants.

Case No. 2:13-cv-746

JUDGE GREGORY L. FROST

Magistrate Judge Elizabeth P. Deavers

ORDER

This matter is before the Court for consideration of the Magistrate Judge's August 13, 2013 Order and Report and Recommendation. (ECF No. 4.) In that filing, the Magistrate Judge recommended that the Court dismiss Plaintiff's claims against the Ohio Department of Rehabilitation and Corrections and Dr. Paul Beery pursuant to 28 U.S.C. § 1915(e)(2). The Order and Report and Recommendation advised the parties that the failure to object within fourteen days would "result in a waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court." (ECF No. 4, at Page ID # 104-05.)

The Court has reviewed the Order and Report and Recommendation. Noting that no objections have been filed, that the time for filing such objections has expired, and that the Magistrate Judge's reasoning is correct, the Court **ADOPTS** the Order and Report and Recommendation (ECF No. 4) and **DISMISSES** Plaintiff's claims against the Ohio Department of Rehabilitation and Corrections and Dr. Paul Beery. Plaintiff's other claims remain pending.

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE